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Patent Docket P1857R1P1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Heather Flores et al. Serial No.: 10/771,254 Filed: February 3, 2004 For: APO-2 LIGAND/TRAIL FORMULATIONS	Group Art Unit: to be assigned Examiner: to be assigned Confirmation No: 2580 CUSTOMER NO: 09157 CERTIFICATE OF EXPRESS MAILING EXPRESS MAIL LABEL NO. <u>384 510 613 US</u> I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450". October <u>3</u> 2006 <i>Diane L. Marschang</i> Diane L. Marschang
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TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

1. Response to Restriction Requirement and Preliminary Amendment;
2. Return postcard.

In the event any additional fees are due in connection with the filing of these documents, the Commissioner is authorized to charge such fees to our Deposit Account No. 07-0630.

Respectfully submitted,
GENENTECH, INC.

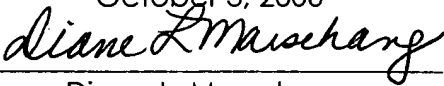
Date: October 3, 2006

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Heather Flores et al. Serial No.: 10/771,254 Filed: February 3, 2004 For: APO-2 LIGAND/TRAIL FORMULATIONS	Group Art Unit: 1647 Examiner: C. Woodward Confirmation No: 2580 CUSTOMER NO: 09157 CERTIFICATE OF EXPRESS MAILING EXPRESS MAIL LABEL NO. <u>384 510 613 US</u> I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450". October 3, 2006  Diane L. Marschang
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**RESPONSE TO RESTRICTION REQUIREMENT
AND PRELIMINARY AMENDMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being filed in response to the Office Action dated April 4, 2006 setting forth a Restriction Requirement for the present application. Applicants have filed under separate cover a Petition and Fee for Extension of time up until and including October 4, 2006, thereby making the enclosed response timely filed. Entry of the Preliminary Amendment below is respectfully requested prior to examination on the merits.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.